

IC 24

TITLE 24. TRADE REGULATION

IC 24-1

ARTICLE 1. COMBINATIONS IN RESTRAINT OF TRADE

IC 24-1-1

Chapter 1. Contracts to Prevent Competition

IC 24-1-1-1

Contracts against public policy; null and void contracts

Sec. 1. From and after April 14, 1897, all arrangements, contracts, agreements, trusts or combinations between persons or corporations who control the output of any article of merchandise, made with a view to lessen, or which tend to lessen, full and free competition in the importation or sale of articles imported into this state, and all arrangements, contracts, agreements, trusts, or combinations between persons or corporations who control the output of said article of merchandise, designed, or which tend to advance, reduce, or control the price or the cost to the producer or to the consumer of any such product or article, are hereby declared to be against public policy, unlawful, and void.

(Formerly: Acts 1897, c.104, s.1.) As amended by P.L.152-1986, SEC.1.

IC 24-1-1-2

Violation of chapter; domestic corporations; forfeiture of charter and franchise; foreign corporations; prohibition

Sec. 2. Any corporation, chartered under the laws of this state, which shall violate any of the provisions of this chapter shall thereby forfeit its charter and its franchise, and its corporate existence shall thereupon cease and determine. Every foreign corporation which shall violate any of the provisions of this chapter is hereby denied the right to do and is prohibited from doing business in this state. It is hereby made the duty of the attorney general of the state to enforce this section by due process of law.

(Formerly: Acts 1897, c.104, s.2.) As amended by P.L.152-1986, SEC.2.

IC 24-1-1-3

Offense

Sec. 3. A person who knowingly violates this chapter commits a Class C felony.

(Formerly: Acts 1897, c.104, s.3.) As amended by Acts 1978, P.L.2, SEC.2401.

IC 24-1-1-4

Persons affected by chapter; exception

Sec. 4. The persons designed by this chapter to be affected by this chapter are those who own, control, or manufacture the output of any particular article of merchandise mentioned in this chapter; provided, however, that the provisions of this chapter shall not apply to agricultural products or livestock while in the possession of the producer or raiser.

(Formerly: Acts 1897, c.104, s.4.) As amended by P.L.152-1986, SEC.3.

IC 24-1-1-5

Civil suit for damages

Sec. 5. Any person or persons or corporations that may be injured or damaged by any such arrangement, contract, agreement, trust, or combination described in section 1 of this chapter may sue for and recover in any court of competent jurisdiction in this state, of any person, persons, or corporation operating such trust or combination, the full consideration or sum paid by him or them for any goods, wares, merchandise, or articles, the sale of which is controlled by such combination or trust.

(Formerly: Acts 1897, c.104, s.5.) As amended by P.L.152-1986, SEC.4.

IC 24-1-1-6

Special grand jury instructions

Sec. 6. It shall be the duty of the judges of the circuit courts of this state specially to instruct the grand juries as to the provisions of this chapter.

(Formerly: Acts 1897, c.104, s.6.) As amended by P.L.152-1986, SEC.5.